

In The United States Court of Federal Claims

No. 00-512L

(Filed: April 13, 2009)

PETRO-HUNT, L.L.C.,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

ORDER

On April 9, 2009, the court held arguments on defendant's motion to dismiss. Participating were J. Ralph White, for plaintiff, and James Gette, for defendant. Based upon the discussions that occurred during argument:

1. On or before June 12, 2009, each party shall file a supplemental brief, no more than 20 pages, addressing, with supporting authorities, the following issues:
 - a. When a taking occurs for the purposes of claim accrual, as to both permanent and temporary takings;
 - b. Whether accrual and ripeness are mirror images of one another, i.e., whether an unaccrued claim could ever be ripe and whether an unripe claim could ever be accrued; and
 - c. Whether privity of contract sounds in jurisdiction or on the merits.
2. On or before July 13, 2009, each party shall file a supplemental reply brief, no more than 10 pages, responding to the other party's initial supplemental brief.
3. The parties have leave to attach any additional evidence to their briefs that bears on any jurisdictional facts.

IT IS SO ORDERED.

s/ Francis M. Allegra
Francis M. Allegra
Judge